

CALENDAR ITEM 02

A Statewide

04/28/11

S Statewide

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PROPOSED LEGISLATION

INTRODUCTION:

The State Lands Commission staff has been reviewing various legislative proposals introduced in the 112th Congress that could affect lands under the Commission's jurisdiction. This report describes a bill (H.R. 1231 – Hastings) entitled "Reversing President Obama's Offshore Moratorium Act", which would open up California's coast to new federal oil and gas leasing and development. Staff proposes a Resolution (Exhibit A) for the Commission to consider adopting in opposition to H.R. 1231.

LEGISLATIVE PROPOSAL:

H.R. 1231 (Hastings): Reversing President Obama's Offshore Moratorium Act

SUMMARY:

H.R. 1231 proposes to amend the Outer Continental Shelf (OCS) Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, including off the coast of California, and to establish a domestic oil and natural gas production goal. As background, since 1968, prior to the Santa Barbara oil spill from a federal OCS platform, the Commission has not entered into any new offshore oil and gas leases. Since 2001, the Commission has passed nine resolutions opposing the resumption or expansion of federal offshore oil and gas leasing operations offshore California's coast, as new offshore oil and gas leasing and the resulting development pose an unacceptable high risk of damage to the marine environment of the state. New offshore oil and gas development not only threatens the environment, but also prevents the nation from reducing its dependency on fossil fuels, contributes to the emission of greenhouse gases.

OTHER PERTINENT INFORMATION:

California Environmental Quality Act (CEQA) compliance: Staff has determined this action by the Commission is not subject to the provisions of CEQA because it is not a "project" as defined in Section 15378 of the State CEQA Guidelines (Title 14, California Code of Regulations, section 15000, *et seq.*). Specifically, the proposed action by the Commission to adopt a resolution in opposition of H.R. 1231 has no potential to result in

CALENDAR ITEM NO. 02 (CONT'D)

either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

EXHIBITS:

- A. Proposed Resolution Opposing bill H.R. 1231
- B. Map of Offshore California Oil & Gas Resources
(Santa Barbara & Ventura Counties) showing Offshore Fields

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

1. Find that the activity is not subject to the requirements of CEQA because the activity is not a project as defined in Section 21065 of CEQA and Section 15378 of the State CEQA Guidelines;
2. Adopt the resolution in opposition of H.R. 1231 attached as Exhibit A.